REMARKS

I. Introduction

With the cancellation of claim 11, claims 1, 3-5, 7-10 and 13 are currently pending in the present application. Claims 1, 5, 7, and 13 have been amended herein without prejudice to include subject matter previously recited in now-canceled claim 11. In view of the following, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Pending Claims 1, 5, 7-11 and 13 under 35 U.S.C. §103(a)

Claims 1, 5, 7-10 and 13 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,282,668 ("Neudecker") in view of U.S. Patent No. 6,339,806 ("Foster"). Claim 11 was rejected under 35 U.S.C. §103(a) as unpatentable over Neudecker, in view of Foster, and in further view of U.S. Patent No. 6,339,806 ("Aakre"). Since independent claims 1, 5, 7, and 13 have been amended to include subject matter recited in now-canceled claim 11, Applicant will discuss claims 1, 5, 7, and 13 in connection with the rejection based on Neudecker, Foster and Aakre.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a *prima facie* case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish a *prima facie* case of obviousness, the Examiner must show, *inter alia*, that there is some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the references, and that, when so modified or combined, the prior art teaches or suggests all of the claim limitations. M.P.E.P. §2143. In addition, as clearly indicated by the Supreme Court, it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to [modify] the [prior art] elements" in the manner claimed. See KSR Int'l Co. v. Teleflex, Inc., 82 U.S.P.Q.2d 1385 (2007). In this regard, the Supreme Court further noted that "rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." Id., at 1396. To the extent that the Examiner may be relying on the doctrine of inherent disclosure in support of the obviousness rejection, the Examiner must provide a "basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent

characteristics necessarily flow from the teachings of the applied art." (See M.P.E.P. § 2112; emphasis in original; see also Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990)).

Independent claim 1 has been amended to recite, in relevant parts, a detection device for implementing "a two-step wake-up procedure including: performing a first step of transmitting a message on the bus system for detecting at least one predefined signal feature of the message and determining, as a function of a data pattern encoded within the message, the at least one targeted user as an intended target; and **if a preselected number of occurrences of the at least one predefined signal feature of the message has been reached, performing a second step of retransmitting the message on the bus system and determining one of a number of the users to be awakened and a group of users to be awakened based on the message, wherein a length of the message is at least two bits**." With respect to the above highlighted feature, the combination Neudecker and Foster does not disclose **retransmitting the message on the bus system**, but the Examiner cites Aakre (col. 1, lines 55 to 65) as allegedly teaching this claimed feature. Applicant notes that the actual teachings of Aakre do not support the Examiner's contentions, as explained in detail below.

Aakre discloses an "automatic address assignment system [which] has plurality of I/O devices coupled to a bus," each I/O device having a unique fixed length identifier and being capable of responding to information on the bus as a function of the identifier. (Col. 1, l. 44-48). "The system selects the first bit in the identifier and transmits a binary value, '0' or '1' to the I/O devices," and all "devices having identifiers with a first bit matching the transmitted binary value respond." (Col. 1, l. 48-51). "**If no devices respond, the system transmits the opposite binary value** for the selected identifier bit." (Col. 4, l. 51-53). "If one or more devices respond, **the system selects the next identifier bit and transmits a binary value** again." (Col. 4, l. 53-55). "Those devices that did not respond to the previously selected bit drop out of the assignment process until it is restarted with the selection of the first identifier bit." (Col. 4, l. 55-58). "As successive identifier bits are selected, more I/O devices drop out of the assignment process until only one device remains after the last bit is selected." (Col. 1, l. 58-61). As clearly disclosed in Aakre, the system of Aakre only transmits **one bit of binary value** for the selected identifier bit for each transmission, and the **length of the message is clearly not "at least two bits**." In addition,

in contrast to the claimed limitation of "**a second step of retransmitting the message on the bus system and determining one of a number of the users to be awakened and a group of users to be awakened based on the message**," the bit value of Aakre, by itself, has no information and thus cannot be used to determine **one of a number of the users to be awakened and a group of users to be awakened based on the message** at the second step of the wake-up process. Indeed, the Aakre's process can only **determine a single device** at the end of the process involving multiple one-bit tests, rather than determining **a number of the users to be awakened** or **a group of users to be awakened** as recited in claim 1.

For at least the foregoing reasons, claim 1 is allowable over the combination of Neudecker, Foster, and Aakre. Independent claims 5, 7, and 13 include features substantially similar to claim 1, and therefore claims 5, 7 and 13, as well as dependent claims 8-10, are allowable for substantially the same reasons as those presented in connection with claim 1.

III. Rejections of Claims 3 and 4 under 35 U.S.C. §103(a)

Claims 3 and 4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Neudecker in view of Foster and in further view of U.S. Patent 5,581,556 ("Ohie"). It is respectfully submitted that the combination of Neudecker, Foster and Ohie does not render unpatentable pending claims 3 and 4 for at least the following reasons.

Claims 3 and 4 depend on amended claim 1. As discussed above, parent claim 1 has been amended to incorporate the features of now-canceled claim 11, thereby obviating the rejection of dependent claims 3 and 4 based on Neudecker, Foster and Ohie. Independent of the above, as discussed in connection with amended parent claim 1, the combination of Neudecker, Foster, and Aakre fails to teach or suggest all of the features of amended parent claim 1. Furthermore, Ohie fails to remedy the deficiencies of Neudecker, Foster, and Aakre as applied against amended parent claim 1. Therefore, dependent claims 3 and 4 are allowable over the combination of Neudecker, Foster, Aakre and Ohie.

Conclusion

In light of the foregoing, Applicant respectfully submits that all of the pending claims 1, 3-5, 7-10 and 13 are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

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Dated: March 24, 2009

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